

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:08-cv-350-RJC**

ANDREW C. DAVIS, III,)
)
Plaintiff,)
)
vs.)
)
THE STATE OF NORTH CAROLINA,)
MARSHALL SWAN, MECKLENBURG)
COUNTY, DEPARTMENT OF SOCIAL)
SERVICES,)
)
Defendants.)

THIS MATTER IS BEFORE THE COURT *sua sponte* with respect to the status of Plaintiff Davis's case. On July 30, 2008, this Court ordered the plaintiff to remit the \$350.00 filing fee within thirty (30) days of the Court's order or summary dismissal would occur. It is now September 25, 2008, and the plaintiff has not paid the filing fee. Additionally, the Court would like to note that there is a pre-filing injunction and an Order of Sanctions against Plaintiff Davis. Plaintiff Davis has not attempted to obtain pre-filing authorization in this case and is willfully disregarding the Court's prior Order.

THEREFORE, IT IS HEREBY ORDERED that Plaintiff Davis's case be **DISMISSED**.

Signed: September 29, 2008



Robert J. Conrad, Jr.
Chief United States District Judge

